

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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AJIBOLA A. OSINAIKE, et al.,

Plaintiffs,

08CV2492 (NGG) (ALC)

REPORT AND
RECOMMENDATION

v.

CITY OF NEW YORK, et al.,

Defendants.
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CARTER, United States Magistrate Judge:

Review of the record in the above-referenced action, specifically my October 4, 2010 Order to Show Cause, reveals that plaintiffs have been unreachable, failed to attend a conference, failed to file a stipulation of discontinuance following the settlement reported by defendants, and failed to respond to my October 4, 2010 order to show cause why the action should not be dismissed for failure to prosecute. Accordingly, I respectfully recommend dismissing the action pursuant to Federal Rule of Civil Procedure 41(b).

Pursuant to 28 U.S.C. § 636(b)(1) and Rules 6 and 72 of the Federal Rules of Civil Procedure, the parties shall have until November 24, 2010 to file written objections to the Report and Recommendation. Failure to file timely objections will preclude appellate review of any order of judgment that will be entered.

SO ORDERED.

DATED: November 10, 2010
Brooklyn, New York

s/Andrew L. Carter, Jr.

Andrew L. Carter, U.S.M.J.